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August 17, 2009

The Honorable Joseph F. Bianco
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 920
Central Islip, NY 11722

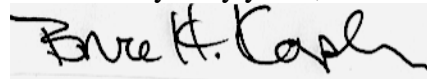
Re: Chord Associates, LLC *et al.* v. Protech 2003-D, LLC *et al.*
EDNY Case No. 07 CV 5138 (JFB)

Dear Judge Bianco:

I am co-counsel for Plaintiffs in the referenced action, and write in connection with your Order entered April 10, 2008 [Docket No. 28] with respect to renewing Plaintiffs' motion for partial summary judgment pursuant to F.R.C.P. 56 in that additional discovery has since taken place and is to be incorporated therein. Accordingly, Plaintiffs are now ready to file supplemental affidavits, memorandum, etc. in support, and request a return date of mid to late September, and preferably in the afternoon, so as to allow Defendants sufficient time to respond, and so as to provide Plaintiffs with not less than 10 days to reply.

Thank you for your anticipated cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce H. Kaplan", is written over a light gray rectangular background.

Bruce H. Kaplan